IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 19225 of 2004

Between:

1. M.Varalaxmi, W/o.Laxman Rao, Occu: Social Worker,
   R/o.H.No.1-178, Ditchpalli, Nizamabad District.
2. K.Aranjyothi, W/o.Peddanna, Occu:Social Worker,
   R/o.H.No.7-50, Bukkarayasamudram, Anantapur District.
3. G.Savithri, W/o.G.Ilaiah, Occu: Social Worker,
   R/o.MIG II, Q.No.7, APHB Colony,
   Baghlingampally, Hyderabad.

..... PETITIONERS

AND

1. The Government of Andhra Pradesh, rep. by Prl. Secretary,

Finance & Planning Department, Secretariat Buildings,

Hyderabad.
2. The Government of Andhra Pradesh, rep.by Prl. Secretary,

Women's Development & Child Welfare, Hyderabad.
3. The Andhra Pradesh Women's Commission, rep.by its Director,

II floor, Budha Bhavan, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue writ, order or direction one in the nature of Writ of Mandamus, declaring the impugned action of the respondents in not paying the allowances / TA / DA to the petitioners in pursuance of G.O.Ms.No.106 Women and Child Welfare Department dated 15-3-2001 R/W. G.O.Rt.No.323 dt. 27-7-03 as illegal, arbitrary, void *ab initio* and contrary to Articles 14 and 21 of Constitution of India and besides violative of

principles of natural justice and consequently direct the respondents 1 and 2 to pay the allowances, TA/DA as per G.O.Ms.No.106 Women and Child Welfare Department dated 15.3.2001 R/W G.O.Rt.No.323 dt. 27-7-03.

Counsel for the Petitioners: MR.Y.RAMA RAO

Counsel for the Respondent Nos.1 to 3: GP FOR FINANCE & PLANNING

The Court at the stage of admission made the following :

THE HONOURABLE DR.JUSTICE G.YETHIRAJULU

Writ Petition No. 19225 of 2004

ORDER:

The petitioners are contending that they were appointed as Members of Andhra Pradesh Women's Commission as per G.O.Ms.No.37 Women's Development, Child Welfare and Disabled Welfare (Prog.) Department, dated 06.05.1999. They used to claim remuneration as per the rules in force. Subsequently, the Government issued G.O.Ms.No.106 Women's Development, Child Welfare and Disabled Welfare (Prog.) Department, dated 15.03.2001, sanctioning the allowances at the rate of Rs.10,000/- per month to each Member of the Andhra Pradesh Women's Commission, Hyderabad to enable them to tour in the areas, subject to condition that the Members should not be entitled to any T.A. or D.A. for touring out side the headquarters. If any member was paid Rs.10,000/- per month from March, 2000, the T.A. or D.A., which were given or drawn by the members has to be adjusted against the allowance of Rs.10,000/-. In pursuance of the G.O.Ms.No.106, dated 15.03.2001, the petitioners are entitled for Rs.10,000/- per month with effect from 01.03.2000 and all the members were paid Rs.2,90,000/- and remaining amount is still due to them. The petitioners further submit that they made representations from time to time and the last representation was made on 23.08.2004 to the respondents. But, the respondents did not pass any orders on their representations. Therefore, the petitioners approached this Court through this writ petition, seeking a direction to the respondents 1 and 2 to pay the allowances as per G.O.Ms.No.106 dated 15.03.2001.

2. In the light of the circumstances explained by the petitioners, the respondents 1 and 2 are directed to pass appropriate orders on the representation of the petitioners dated 23.08.2004, keeping in view the G.O.Ms.No.106 dated 15.03.2001, regarding

the claim made by them towards allowances payable to them, within two months from the date of receipt of a copy of this Order.

3. The writ petition is accordingly disposed of. No order as to costs.

_____

Dr.G.YETHIRAJULU, J

Date: 14th October, 2004.

Cs

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Finance and Planning Department,

Government of Andhra Pradesh, Secretariat Buildings,

Hyderabad.

2. The Principal Secretary, Women's Development and Child

Welfare, Government of Andhra Pradesh, Hyderabad.

3. The Director, The Andhra Pradesh Women's Commission, II

Floor, Budha Bhavan, Secunderabad.

4. Two C.Cs. to the Government Pleader for Finance and Planning,

High Court Buildings, Hyderabad. (O.U.T.)

5. Two C.D. copies.